

R12-4-428. Captivity Standards

- A. An individual who holds a special license listed in R12-4-409(A) shall keep all wildlife held under the license in as humane a manner as the activities authorized by the license allow, to safeguard and protect the interests of the wildlife held. A special license holder subject to the provisions of this Section shall comply with the minimum standards for humane treatment prescribed by this Section. For the purposes of this Section, "animal" means any wildlife held under a special license, unless otherwise indicated.
- B. A special license holder shall ensure that all facilities required by the special license meet the following minimum standards.
1. The facility shall be constructed of material and be of a strength appropriate for the nature of the animal held. The facility shall be properly braced and constructed of material of sufficient strength to resist any force the animal may be capable of exerting against it. The facility shall be constructed in such a manner as to reasonably prevent the animal's escape or the entry of unauthorized individuals or animals. The facility shall be structurally sound and shall be maintained in good repair to protect the animals that are held from injury and to facilitate the humane practices prescribed by this Section.
 2. If required to comply with related provisions of this Section, there shall be safe, reliable and adequate electric power to the facility. All electric wiring shall be constructed and maintained in accordance with all applicable governmental building codes. Electrical construction and maintenance shall be sufficient to ensure that no animal has direct contact with any electrical wiring or electrical apparatus and is fully protected from any possibility of shock or electrocution from electric conducting materials.
 3. Every animal shall be supplied with sufficient potable water to meet its needs. If potable water is not accessible to the animal at all times, it shall be provided as often as necessary for the health and comfort of the animal, and the license holder shall ensure that the level of available water is monitored once daily or more often as the needs of the animal dictate. All water receptacles shall be kept in clean and sanitary condition.
 4. Food shall be wholesome, palatable, and free from contamination, and of sufficient appeal, quantity, and nutritive value to maintain in good health each animal that is held. Each animal's diet shall be prepared based upon the nutritional needs and preferences of the animal with consideration for the age, species, condition, size, and type of the animal, and all veterinary directions or recommendations in regard to diet. The quantity of food supplied to each animal shall be sufficient to meet its needs and keep it in good health. Each animal shall be fed as often as its needs dictate, taking into consideration hibernation, veterinary treatment or recommendation, normal fasts, or other professionally accepted humane practices. The license holder shall ensure that the level of available food for each animal is monitored once daily, except for those periods of time when professionally accepted humane practices dictate that the animal not consume any food during the entire day. Food and food receptacles, if used, shall be sufficient in quantity and accessible to all animals in the facility and shall be placed to minimize potential contamination. Food receptacles shall be kept clean and sanitary at all times. Any self-feeding food receptacles shall function properly and the food they provide shall not be subject to deterioration, contamination, molding, caking, or any other process that would render the food unsafe or unpalatable for the animal to be fed. Appropriate means of refrigeration shall be provided for supplies of perishable animal foods.
 5. The facility shall be kept sanitary and regularly cleaned as the nature of the animal requires and allows. Adequate provision shall be made for the removal and disposal of animal waste, food waste, unusable bedding materials, trash, debris and dead animals not intended for food. The facility shall be maintained to minimize the potential of vermin infestation, disease, and unseemly odors. Excreta shall be removed from the primary enclosure facility as often as necessary to prevent contamination of the animals and to minimize hazard of disease and to reduce unseemly odors. The sanitary condition of the facility shall be monitored by the licensee at least daily. When the facility is cleaned by hosing, flushing or the introduction of any chemical substances, adequate measures shall be taken to ensure the animal has no direct contact with any chemical substance and is not directly sprayed with water, steam or chemical substances or otherwise wetted involuntarily.
 6. A sanitary and humane method shall be provided to rapidly eliminate excess water from the facility. If drains are utilized, they shall be properly constructed and kept in good repair to avoid foul odors, and installed so as to prevent backup or accumulation of debris or sewage.
 7. No animal shall be exposed to any human activity or environment that may have an inhumane or harmful effect upon the animal that is inconsistent with the purpose of the special license.
 8. Facilities shall not be constructed or maintained in proximity to any physical condition which may give rise to any health threat to the animal including, but not limited to, trash or garbage collection sites and/or pools of standing water. All individuals that care for the animals shall maintain themselves in a sufficiently clean condition when dealing in or around the animal so as to minimize any threat to the health of the animal.
 9. All animals housed in the same facility or within the same enclosed area shall be compatible and shall not pose a substantial threat to the health, life or well-being of any other animal in the same facility or enclosure, whether or not the other animals are held under a special license. This shall not apply to live animals placed as food items in the enclosures.

10. Facilities for the enclosure of animals shall be constructed and maintained to provide sufficient space to allow each animal adequate freedom of movement to make normal postural and social adjustments. The facility area shall be large enough and constructed in a manner to allow the animal proper and adequate exercise as is characteristic to each animal's natural behavior and physical need. Facilities for digging or burrowing animals shall have secure safe floors below materials supplied for digging or burrowing activity. Animals that naturally climb shall be provided with safe and adequate climbing apparatus. Animals that naturally live in an aquatic environment shall be supplied with sufficient access to safe water so as to meet their aquatic behavioral needs.
 11. A special license holder shall ensure that a sufficient number of properly trained personnel are utilized to meet all the humane husbandry practices prescribed by this Section. The license holder shall be responsible for the actions of all animal care personnel and all other individuals that come in contact with the animals.
 12. The facility and holding environment shall be structured to reasonably promote the psychological well-being of any primate held under a special license.
 13. Except for wildlife hobby license holders that possess fewer than 50 birds and license holders that possess animals for less than one year, a special license holder shall designate a veterinarian licensed to practice in this state as the primary treating veterinarian for each individual species of animal to be held under any special license issued. The license holder shall ensure that all animals in their care receive proper, adequate and humane veterinary care as the needs of each animal dictate. Each animal held for one year or more and each facility used shall be inspected by the attending veterinarian at least once every year. Every animal shall receive veterinary care whenever it appears that the animal is ill, wounded, diseased, infected by parasites or behaving in a substantially abnormal manner, including but not limited to exhibiting loss of appetite or disinclination to normal physical activity. All medications, treatments and other directions prescribed by the attending veterinarian shall be properly administered by the licensee. No prescription medicine or medical treatment shall be administered by any license holder unless under the direction of a veterinarian.
 14. Any animal that is suspected of or diagnosed as harboring any infectious or transmissible disease, whether or not the animal is held under a special license, shall be isolated immediately upon suspicion or diagnosis from any animal to whom such disease could be transmitted. The isolated animal shall continue to be kept in a humane manner and in a facility as required by this Section. When there is an animal with an infectious or transmissible disease in any animal facility, whether or not the animal is held under a special license, the facility shall be reasonably sanitized so as to reasonably eliminate the chance of other animals being exposed to infection. Sanitation procedures may include, but not necessarily be limited to, the washing of facilities or animal-related materials with hot water and appropriate antibacterial chemical agents and appropriate soaps or detergents; the appropriate application of steam under pressure; and the replacement of gravel, sand, water, food, or dirt. All residue of chemical agents utilized in the sanitation process shall be reasonably eliminated from the facility before any animal is returned to the facility. Parasites and avian and mammalian pests shall be controlled and eliminated so as to ensure the continued health and well-being of all animals.
- C. A special license holder shall ensure that all indoor facilities meet the following standards in addition to those set forth in subsection (B).
1. Heating and cooling facilities shall be supplied that are sufficient to regulate the temperature to protect the animals from extremes of temperature as the nature of the wildlife requires and to provide a healthful and humane living environment and prevent discomfort to the animal. The ambient temperature shall not be allowed to fall below nor rise above temperatures compatible with the health, comfort, and humane care of any animal.
 2. Indoor facilities shall be adequately ventilated by natural or mechanical means to provide for the healthful and humane keeping of any animal and prevent the discomfort of any animal. The facility shall be provided with fresh air, either by means of windows, doors, vents, fan, or air conditioning sufficient to meet the humane needs of any animal and shall be constructed to minimize drafts, odors and moisture condensation.
 3. Indoor facilities shall have lighting by either natural or artificial means, or both, that is appropriate to the nature of the animals being kept. Lighting shall be of a quality, distribution, and duration as is appropriate for the needs and nature of the animals held. Lighting shall be utilized in regular cycles as the animal's needs may dictate. Lighting of uniform distribution and sufficient intensity to permit routine inspection and cleaning of the facility shall be available. Lighting shall be designed to protect the animals from excessive or otherwise harmful aspects of illumination.
- D. A special license holder shall ensure that all outdoor facilities meet the following standards in addition to those set forth in subsection (B).
1. If sunlight is likely to cause overheating or discomfort of any animal, sufficient shade by natural or artificial means shall be provided to allow all animals kept outdoors to humanely protect themselves from any harmful affects of direct sunlight.
 2. Sufficient natural or artificial shelter appropriate to humanely protect animals from normally expected local climatic conditions through the year shall be provided for all animals to prevent any discomfort or harm to the animals. No animal shall be exposed to any climatic condition that is potentially harmful to the animal.

Individual animals shall be acclimated to outdoor climatic conditions before they are housed in any outdoor facility or otherwise exposed to the extremes of climate.

- E. If an animal must be handled, the special license holder that possesses it shall ensure that the animal is handled in an expeditious and careful manner to ensure no unnecessary discomfort, behavioral stress, or physical harm to the animal. An animal that is transported shall be transported in an expeditious, careful, and humane fashion. During periods of transport, an animal shall be made as humanely secure as reasonably possible. No animal shall be transported in any manner that poses a substantial threat to the life, health, or behavioral well-being of the animal. All facilities and services used to transport the animal shall provide for the basic humane needs of the animal during periods when the animal is held in a transportation facility, including but not necessarily limited to providing the animal with adequate food, water, sanitary conditions, and ventilation, and any medication as prescribed by the attending veterinarian. If any animal is placed on public exhibit or educational display, such animal shall be handled in a manner minimizing the risk of harm to members of the public and to the animal: Minimization of risk shall include but not necessarily be limited to sufficient distance existing between the animal and the viewing public to assure the safety of both the public and the animals. Any restraint used on any animal shall be humane in nature and not likely in either its design or use to cause physical harm or discomfort to the restrained animal except when discomfort is necessary to control the animal due to its size or strength.
- F. The Department may impose additional requirements on facilities that hold animals if it becomes necessary to meet the needs of the particular animal and to ensure public health and safety. Any additional special license facility requirements shall be set forth in writing by the Department at the time the special license is issued. Any additional requirements for housing facilities shall specify the reason necessitating the additional measures.

Historical Note

Adopted effective April 28, 1989 (Supp. 89-2). Amended by final rulemaking at 12 A.A.R. 980, effective May 6, 2006 (Supp. 06-1).